



**FOLEY
HOAG** LLP
ATTORNEYS AT LAW

Fax

Date: March 25, 2003

To: U.S. Patent and Trademark Office Fax #: (703) 305-7687 Confirm#:
Attn: Examiner Nguyen

Client Matter#: 23986-101

From: Jeffrey M. Sears Sender's Number: 3022 User #:
Total Pages Sent (Including Cover Sheet): 15 Office: Boston

Message

Re: U.S. Patent Application Serial No. 09/854,325
Filed: May 12, 2001
Inventors: Nemo Semret et al.
Title: Method and System for Market Based Resource Allocation
Our Ref.: IHG-001.01 (23986-101)

Transmitted herewith are the following documents:

Transmittal Form (1 pg);
Fee Transmittal Form (2 pgs);
Preliminary Amendment (11 pgs); and
This facsimile cover sheet.

FAX RECEIVED

MAR 26 2003

GROUP 3600

OFFICIAL

IMPORTANT - PLEASE READ

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE THE SENDER.

BOSTON / 155 Seaport Boulevard / Boston, Massachusetts 02210-2800 / TEL: 617.832.1000 / FAX: 617.832.7000
WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20006-4804 / TEL: 202.223.1200 / FAX: 202.705.6687
Foley Hoag LLP www.foleyhoag.com

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/854,325
		Filing Date	May 12, 2001
		First Named Inventor	Nemo Semret
		Group Art Unit	3628
		Examiner Name	Nga B. Nguyen
Total Number of Pages in This Submission	15	Attorney Docket Number	IHG-001.01 (23986-101)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Facsimile Cover Sheet
Remarks	Customer No 25181	

FAX RECEIVED

MAR 26 2003

GROUP 3600

OFFICIAL

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey M. Sears, Reg. No. 48,440
Signature	<i>Jeffrey M. Sears</i>
Date	March 25, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, facsimile number (703) 305-7687, on this date: March 25, 2003			
Typed or printed name	Joan E. Meagher		
Signature	<i>Joan E. Meagher</i>	Date	March 25, 2003

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (10-01)
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 09/854,325
 Filing Date May 17, 2001
 First Named Inventor Nemo Semret
 Examiner Name Nga B. Nguyen
 Group / Art Unit 3628
 Attorney Docket No. IHG-001.01 (23986-101)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

06-1448, Ref. IHG-001.01

Deposit
Account
Name

FOLEY HOAG LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22	44	0	
Independent Claims	2	12	
Multiple Dependent			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim. If not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	830	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,870	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	830	2503	415	Plant issue fee	
1450	130	1450	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$0)

SUBMITTED BY

Complete (if applicable)

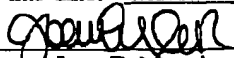
Name (Print/Type)	Registration No. Attorney/Agent	Telephone
Jeffrey M. Sears	48,440	(617) 832-3022
Signature	Date	March 25, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.3 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, facsimile number (703) 305-7687, on this date: March 25, 2003.


Joan E. Meagher

*Preliminary
Amendment**04-01-03*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nemo Semret et al.

Serial No.: 09/854,325

Filed: May 12, 2001

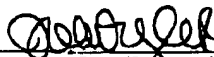
For: Method and System for Market Based
Resource Allocation)
)
)
)
)
)
)

Group Art Unit: 3628

Examiner: Nga B. Nguyen

Attorney Docket No.: IHG-001.01
(23986-101)CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (703) 305-7687.

March 25, 2003Date of Signature and
of Transmission

Joan E. Meagher

PRELIMINARY AMENDMENTCommissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination of the above-identified application, please enter and consider the Amendment provided herein.

Applicants' Attorney does not believe any additional extension of time or any additional fees are required for consideration of this Preliminary Amendment, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this Preliminary Amendment, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to **Deposit Account No. 06-1448, Reference IHG-001.01.**

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account No. 06-1448, Reference IHG-001.01.**

INTRODUCTORY COMMENTS

This Response is filed in accordance with the Revised format for Responses. Please add new claims 45-66. Please cancel previously filed claims 1-44. Upon entry of the Amendment, claims 45-66 are pending in the present application.